

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JESSE ORTIZ,

Case No.: 2:11-cv-03123 (STA)

Plaintiff,

v.

THE HERSHEY COMPANY,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO EXCEED L.R. 56.1(a)'s PAGE
LIMITATION IN ITS STATEMENT OF FACTS SUBMITTED IN SUPPORT OF ITS
MOTION FOR SUMMARY JUDGMENT**

Before the Court is Defendant The Hershey Company's Motion to Exceed Page Limitation (D.E. # 52) filed on June 26, 2013. Defendant filed a Rule 56 motion on June 20, 2013. Defendant seeks leave to exceed the page limit for its statement of undisputed facts in support of its motion for summary judgment. According to Defendant's supplemental certificate of consultation (D.E. # 53-1), Plaintiff opposes Defendant's Motion to Exceed the Page Limitation. However, Plaintiff has failed to file a written response to the Motion within the time permitted.

Defendant concedes that it inadvertently failed to seek approval to exceed the page limit prior to filing its statement of facts as the Local Rules require. Nevertheless, for cause shown and because Plaintiff has failed to oppose the Motion in a timely manner, Defendant's Motion is **GRANTED**. Defendant is advised that counsel must seek leave to exceed the page limits imposed under the Local Rules in advance of actually filing the paper and that in the future the Court will not be inclined to deviate from the Local Rules under similar circumstances. Counsel

should also be prepared to show with greater particularity why the Court should depart from the default page limit.

IT IS HEREBY ORDERED that Defendant's Motion is GRANTED. Defendant may exceed the ten-page limitation, permitted by Local Rule 56.1(a) in its Statement of Facts.

IT IS SO ORDERED, this 15th day of July, 2013.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE